

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

FULL PACKAGE MEDIA LLC,

Plaintiff,

V.

Civil Action No.:

HOMES OF THE RICH LLC, and
KENNETH FORDER,

Defendants.

COMPLAINT FOR COPYRIGHT INFRINGEMENT

Plaintiff, FULL PACKAGE MEDIA LLC (“*FPM*” or “*Plaintiff*”), brings this complaint in the United States District Court for the District of New Jersey against HOMES OF THE RICH LLC (“*HOTR*”), and KENNETH FORDER (“*Forder*”) (together “*Defendants*”), alleging as follows:

THE PARTIES

1. FPM is a real estate media and photography company specializing in images of luxury homes and aerial images. FPM is headquartered in Dallas, Texas.

2. HOTR is a Limited Liability Company organized under the laws of the State of New Jersey, with headquarters in Newton, New Jersey. HOTR may be served by serving its owner, sole employee, and Registered Agent, Kenneth Forder, 906 Wendover Court, Randolph, New Jersey 07869.

3. Forder is an individual residing in the State of New Jersey with its principal place of business located in Boonton, New Jersey. Forder may be served at his home address, 906 Wendover Court, Randolph, New Jersey 07869.

JURISDICTION AND VENUE

4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. This Court has personal jurisdiction over Defendants because Defendants have maintained sufficient minimum contacts with the State of New Jersey and as a result the exercise of personal jurisdiction over Defendants by this Court would not offend traditional notions of fair play and substantial justice.

6. Venue is proper in this district pursuant to 28 U.S.C. § 1400(a) because Defendants or its agent(s) reside or may be found in this district: “A defendant ‘may be found’ in a district in which he could be served with process; that is, in a district which may assert personal jurisdiction over the defendant.”

FACTS

I. The Photographs at Issue in this Lawsuit

7. On February 28, 2017, Thomas Crosson captured the photographs, “4926DeloacheFinal_001,” “4926DeloacheFinal_007,” “4926DeloacheFinal_013,” “4926DeloacheFinal_016,” “4926DeloacheFinal_017,” “4926DeloacheFinal_018,” “4926DeloacheFinal_019,” “4926DeloacheFinal_021,” “4926DeloacheFinal_022,”

“4926DeloacheFinal_023,” “4926DeloacheFinal_026,” “4926DeloacheFinal_027,”
“4926DeloacheFinal_032,” “4926DeloacheFinal_034,” “4926DeloacheFinal_037,”
“4926DeloacheFinal_042,” “4926DeloacheFinal_047,” “4926DeloacheFinal_049,”
“4926DeloacheFinal_057,” “4926DeloacheFinal_059,” “4926DeloacheFinal_060,”
“4926DeloacheFinal_064,” “4926DeloacheFinal_083,” “4926DeloacheFinal_099,”
“4926DeloacheFinal_104,” “4926DeloacheFinal_105,” “4926DeloacheFinal_111,”
and “4926DeloacheFinal_122.” (“Copyrighted Photographs 1”). **[Exhibit 1A]**.

8. Copyrighted Photographs 1 were registered by FPM with the United States Copyright Office on April 28, 2024 (Registration No.: VA 2-403-875).

9. On May 4, 2021, Thomas Crosson captured the photographs, “03_1800Point_001 (1).” (“Copyrighted Photographs 2”). **[Exhibit 2A]**.

10. Copyrighted Photographs 2 were registered by FPM with the United States Copyright Office on April 27, 2024 (Registration No.: VA 2-403-872).

11. On March 28, 2022, Thomas Crosson captured the photographs, “1-01_10701Rogers_0011,” “1-01_10701Rogers_0031,” “1-01_10701Rogers_0041,”
“1-01_10701Rogers_0013,” “1-01_10701Rogers_0017,” “1-01_10701Rogers_0018,”
“1-01_10701Rogers_0019,” “1-01_10701Rogers_0021,” “1-01_10701Rogers_0022,”
“1-01_10701Rogers_0023,” “1-01_10701Rogers_0042,” “1-01_10701Rogers_0043,”
“1-01_10701Rogers_0062,” “1-01_10701Rogers_0071,” “1-01_10701Rogers_0029,” “1-

01_10701Rogers_0033,” and “1-01_10701Rogers_0037,” (“Copyrighted Photographs 3”). **[Exhibit 3A].**

12. Copyrighted Photographs 3 were registered by FPM with the United States Copyright Office on April 27, 2024 (Registration No.: VA 2-403-871).

13. On June 14, 2022, Thomas Crosson captured the photographs, “1726Cypress_001,” “1726Cypress_002,” “1726Cypress_004 (1),” “1726Cypress_004,” “1726Cypress_005 (1),” “1726Cypress_005,” “1726Cypress_006 (1),” “1726Cypress_007,” “1726Cypress_008,” “1726Cypress_010,” “1726Cypress_012,” “1726Cypress_013,” “1726Cypress_015,” “1726Cypress_016,” and “1726Cypress_031,” (“Copyrighted Photographs 4”). **[Exhibit 4A].**

14. Copyrighted Photographs 4 were registered by FPM with the United States Copyright Office on April 27, 2024 (Registration No.: VA 2-403-871).

15. On September 22, 2022, Thomas Crosson captured the photographs, “935W_001,” “935W_004,” “935W_005,” “935W_008,” “935W_009,” “935W_011,” “935W_017,” “935W_018,” “935W_019,” “935W_021,” “935W_026,” “935W_028,” “935W_031,” “935W_032,” “935W_036,” “935W_038,” “935W_041,” and “935W_043,” (“Copyrighted Photographs 5”). **[Exhibit 5A].**

16. Copyrighted Photographs 5 were registered by FPM with the United States Copyright Office on April 27, 2024 (Registration No.: VA 2-403-871).

17. On December 29, 2022, Thomas Crosson captured the photographs, “1-1525Moss_002,” “1-1525Moss_003,” “1-1525Moss_010,” “1-1525Moss_011,” “1-1525Moss_013,” “1-1525Moss_014,” “1-1525Moss_023,” “1-1525Moss_028,” “1-1525Moss_030,” “1-1525Moss_031,” “1-1525Moss_033,” “1-1525Moss_034,” “1-1525Moss_035,” “1-1525Moss_036,” “1-1525Moss_050,” and “1-1525Moss_051.” (“Copyrighted Photographs 6”). **[Exhibit 6A]**.

18. Copyrighted Photographs 6 were registered by FPM with the United States Copyright Office on April 27, 2024 (Registration No.: VA 2-403-871).

19. On January 23, 2023, Thomas Crosson captured the photographs, “7-4012Starling_004,” “13-4012Starling_010,” “18-4012Starling_015,” “20-4012Starling_017,” “26-4012Starling_023,” “45-4012Starling_042,” “58-4012Starling_055,” “79-4012Starling_003,” “86-4012Starling_010,” and “87-4012Starling_011,” (“Copyrighted Photographs 7”). **[Exhibit 7A]**.

20. Copyrighted Photographs 7 were registered by FPM with the United States Copyright Office on April 25, 2024 (Registration No.: VA 2-403-867).

21. On February 6, 2023, Thomas Crosson captured the photographs, “1-2225N_001,” “7-2225N_005,” “11-2225N_009,” “13-2225N_011,” “14-2225N_012,” “16-2225N_014,” “18-2225N_016,” “25-2225N_023,” “28-

2225N_026,” “32-2225N_030,” “56-2225N_054,” “57-2225N_055,” “58-2225N_056,” “63-2225N_004,” “65-2225N_001,” “71-2225N_064,” “72-2225N_065,” “73-2225N_066,” and “74-2225N_067.” (“Copyrighted Photographs 8”). **[Exhibit 8A]**.

22. Copyrighted Photographs 8 were registered by FPM with the United States Copyright Office on April 25, 2024 (Registration No.: VA 2-403-867).

23. On March 6, 2023, Thomas Crosson captured the photographs, “7-6-1161La_010 (2),” “10-6-1161La_012,” “11-5-1161La_011,” “12-7-1161La_014,” “15-10-1161La_019,” “16-11-1161La_020,” “17-12-1161La_021,” “18-13-1161La_022,” “19-14-1161La_023,” “20-15-1161La_024,” “22-17-1161La_026,” “23-18-1161La_027,” “24-19-1161La_028,” “25-20-1161La_029,” “26-21-1161La_032,” “28-23-1161La_034,” “29-24-1161La_035,” “30-25-1161La_036,” “33-28-1161La_039,” “37-31-1161La_017,” “41-35-1161La_044,” “43-37-1161La_051,” “50-44-1161La_053,” “51-45-1161La_054,” “54-45-1161La_054,” “54-58-1161La_059,” “56-50-1161La_058,” “58-52-1161La_006,” “70-66-1161La_002,” “71-67-1161La_004,” “94-1-1161La_005,” “95-2-1161La_007,” “96-3-1161La_004,” and “97-4-1161La_001.” (“Copyrighted Photographs 9”). **[Exhibit 9A]**.

24. Copyrighted Photographs 9 were registered by FPM with the United States Copyright Office on April 25, 2024 (Registration No.: VA 2-403-867).

25. On May 19, 2023, Thomas Crosson captured the photographs, “5-05_1469SunshineMLS_002,” “6-06_1469SunshineMLS_003,” “7-07_1469SunshineMLS_004,” “9-09_1469SunshineMLS_006,” “15-15_1469SunshineMLS_008,” “27-27_1469SunshineMLS_010,” “28-28_1469SunshineMLS_016,” “40-40_1469SunshineMLS_011,” “71-71_1469SunshineMLS_016,” “121-121_1469SunshineMLS_017,” “128-128_1469SunshineMLS_020,” “136-136_1469SunshineMLS_023,” “137-137_1469SunshineMLS_024,” “163-163_1469SunshineMLS_031,” “164-164_1469SunshineMLS_032,” “168-168_1469SunshineMLS_033,” “174-174_1469SunshineMLS_037,” “180-180_1469SunshineMLS_038,” “187-187_1469SunshineMLS_041,” and “219-219_1469SunshineMLS_042.” (“Copyrighted Photographs 10”). **[Exhibit 10A]**.

26. Copyrighted Photographs 10 were registered by FPM with the United States Copyright Office on April 25, 2024 (Registration No.: VA 2-403-867).

27. On July 17, 2023, Thomas Crosson captured the photographs, “1752Bison_001,” “1752Bison_002,” “1752Bison_002-1,” “1752Bison_003-1,” “1752Bison_007-1,” “1752Bison_005-1,” “1752Bison_004-1,” “1752Bison_006-1,” “1752Bison_007-1,” “1752Bison_008-1,” “1752Bison_009-1,” “1752Bison_010-1,” “1752Bison_016-1,” “1752Bison_019-1,” “1752Bison_024-1,” “1752Bison_025-1,” “1752Bison_026-1,” “1752Bison_028-1,”

“1752Bison_023-1,” “1752Bison_035-1,” “1752Bison_036-1,” and “1752Bison_003-1.” (“Copyrighted Photographs 11”). **[Exhibit 11A].**

28. Copyrighted Photographs 11 were registered by FPM with the United States Copyright Office on April 25, 2024 (Registration No.: VA 2-403-867).

29. On December 21, 2023, Thomas Crosson captured the photographs, “5-892Ethel_028,” “7-892Ethel_031,” “8-892Ethel_032,” “11-892Ethel_035,” “17-892Ethel_006,” “19-892Ethel_008,” “20-892Ethel_002,” “22-892Ethel_021,” “27-892Ethel_012,” “50-892Ethel_005 (2),” “56-892Ethel_018 (2),” “57-892Ethel_016 (2),” “58-892Ethel_001 (2),” “59-892Ethel_009 (1),” and “59-892Ethel_009 (2),” (“Copyrighted Photographs 12”). **[Exhibit 12A].**

30. Copyrighted Photographs 12 were registered by FPM with the United States Copyright Office on April 25, 2024 (Registration No.: VA 2-403-867).

31. On March 7, 2024, Thomas Crosson captured the photographs, “1-1725Bur_001,” “1-1725Bur_007,” “1-1725Bur_018,” “1-1725Bur_019,” “1-1725Bur_021,” “1-1725Bur_022,” “1-1725Bur_025,” “1-1725Bur_030,” “1-1725Bur_034,” “1-1725Bur_036,” “1-1725Bur_038,” “1-1725Bur_039,” “1-1725Bur_055,” “1-1725Bur_003 (2),” “1-1725Bur_012 (2),” “1-1725Bur_013 (2),” “1-1725Bur_014 (2),” and “1-1725Bur_017 (2).” (“Copyrighted Photographs 12”). **[Exhibit 13A].**

32. Copyrighted Photographs 13 were registered by FPM with the United States Copyright Office on April 24, 2024 (Registration No.: VA 2-403-858).

33. Copyrighted Photographs 1 – 13 collectively referred to as “Plaintiff’s Copyrighted Photographs” hereafter.

34. For all times relevant to this action, Plaintiff has been the author and exclusive copyright holder of all copyright rights in and to Plaintiff’s Copyrighted Photographs. As such, Plaintiff is entitled to institute and maintain this action for copyright infringement. See 17 U.S.C. § 501(b).

II. Defendant’s Unlawful Activities

35. On or about March 19, 2017, Defendant copied and posted Copyrighted Photographs 1 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2020/05/14000-square-foot-mediterranean-style-home-in-dallas-texas>
- <https://www.facebook.com/homesoftherich/posts/10155077528409257?rdid=hAua9UXkyxhRAySW>

[Exhibit 1B].

36. On or about June 4, 2021, Defendants copied and posted Copyrighted Photographs 2 to its website:

- <https://homesoftherich.net/2021/06/lakefront-french-style-stone-home-in-flower-mound-texas>

[Exhibit 2B].

37. On or about April 22, 2021, Defendant copied and posted Copyrighted Photographs 3 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2022/12/stone-home-on-2-acres-in-frisco-texas-photos>

[Exhibit 3B].

38. On or about July 14, 2022, Defendant copied and posted Copyrighted Photographs 4 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2022/07/8-million-contemporary-home-in-westlake-texas-photos>

[Exhibit 4B].

39. On or about September 22, 2022, Defendant copied and posted Copyrighted Photographs 5 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2022/09/12-million-stone-home-in-southlake-texas-photos>

[Exhibit 5B].

40. On or about March 1, 2023, Defendant copied and posted Copyrighted Photographs 6 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2023/03/4-million-new-build-in-southlake-texas>

[Exhibit 6B].

41. On or about February 10, 2023, Defendant copied and posted Copyrighted Photographs 7 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2023/11/texas-home-with-indoor-basketball-court>

[Exhibit 7B].

42. On or about February 11, 2023, Defendant copied and posted Copyrighted Photographs 8 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2023/02/gated-stone-brick-home-in-westlake-texas-photos>

[Exhibit 8B].

43. On or about April 5, 2023, Defendant copied and posted Copyrighted Photographs 9 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2023/04/castle-like-stone-home-in-southlake-texas-photos>
- <https://www.facebook.com/homesoftherich/posts/587415810090807?rdid=B3b3yV6M4ZQtENKO>

[Exhibit 9B].

44. On or about May 24, 2022, Defendant copied and posted Copyrighted Photographs 10 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2023/03/31000-square-foot-home-in-southlake-texas-photos>
- <https://www.facebook.com/homesoftherich/posts/720354420130278?rdid=0CbuF10ukLsqkPL5>

[Exhibit 10B].

45. On or about July 20, 2023, Defendant copied and posted Copyrighted Photographs 11 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2024/03/texas-home-sits-on-5-acres-and-comes-with-a-bowling-alley>
- https://www.instagram.com/p/C48_15jONxq/?img_index=1

[Exhibit 11B].

46. On or about January 6, 2024, Defendant copied and posted Copyrighted Photographs 12 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2024/01/stone-brick-new-build-in-fairview-texas-photos>

[Exhibit 12B].

47. On or about March 27, 2024, Defendant copied and posted Copyrighted Photographs 13 to its website(s) and/or social media feeds:

- <https://homesoftherich.net/2024/03/texas-home-with-resort-style-backyard-lists-for-4-million>

[Exhibit 13B].

48. Defendants are not and have never been licensed to use or display Plaintiff's Copyrighted Photographs. Defendants never contacted Plaintiff to seek permission to use Plaintiff's Copyrighted Photographs in connection with its website or for any other purpose.

49. Upon information and belief, Defendants located copies of Plaintiff's Copyrighted Photographs on the internet and, rather than contact Plaintiff to secure licenses, simply copied Copyrighted Photographs for its own commercial use.

50. Plaintiff first discovered Defendants' unauthorized use/display of Plaintiff's Copyrighted Photographs on or about March 29, 2024.

51. Following Plaintiff's discovery, Plaintiff notified Defendants in writing of such unauthorized use. To date, Plaintiff has been unable to negotiate a reasonable license for the past infringement of Plaintiff's Copyrighted Photographs.

COUNT I: COPYRIGHT INFRINGEMENT

52. Plaintiff incorporates herein by this reference each and every allegation contained in each paragraph above.

53. Plaintiff's Copyrighted Photographs are original works of authorship, embodying copyrightable subject matter, and therefore subject to the full protection of the United States copyright laws (17 U.S.C. § 101 et seq.).

54. Thomas Crosson owns a valid copyright in Plaintiff's Copyrighted Photographs, having registered Copyrighted Photographs with the Register of Copyrights.

55. Plaintiff has standing to bring this lawsuit and assert the claim(s) herein as it has sufficient rights, title, and interest to such copyright.

56. Defendants reproduced, distributed, and publicly displayed Plaintiff's Copyrighted Photographs without authorization from Plaintiff.

57. By its actions, Defendants infringed and violated Plaintiff's exclusive rights in violation of the Copyright Act, 17 U.S.C. § 501, by reproducing, distributing, and publicly displaying Plaintiff's Copyrighted Photographs for its own commercial purposes.

58. Defendants' infringement was willful as it acted with actual knowledge or reckless disregard for whether its conduct infringed upon Plaintiff's copyright.

59. Plaintiff has been damaged as a direct and proximate result of Defendants' infringement.

60. Plaintiff is entitled to recover its actual damages resulting from Defendants' unauthorized use of Plaintiff's Copyrighted Photographs and, at Plaintiff's election (pursuant to 17 U.S.C. § 504(b)), Plaintiff is entitled to recover damages based on a disgorgement of Defendant's profits from infringement of Plaintiff's Copyrighted Photographs, which amounts shall be proven at trial.

61. Alternatively, to the extent infringement by Defendants of Plaintiff's Copyrighted Photographs occurred post-registration or within the three (3) month period between first publication and registration, and at Plaintiff's election, Plaintiff is entitled to statutory damages pursuant to 17 U.S.C. § 504(c), in such amount as deemed proper by the Court.

62. To the extent infringement by Defendants of Plaintiff's Copyrighted Photographs occurred post-registration or within the three (3) month period between first publication and registration, Plaintiff is further entitled to recover its costs and attorneys' fees as a result of Defendants' conduct pursuant to 17 U.S.C. § 505 for such infringement of the corresponding Plaintiff's Copyrighted Photographs.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

- a. A declaration that Defendants have infringed Plaintiff's copyrights in Plaintiff's Copyrighted Photographs;
- b. A declaration that such infringement is willful (to the extent applicable);
- c. An award of actual damages and disgorgement of profits as the Court deems proper or, at Plaintiff's election (to the extent applicable), an award of statutory damages for willful infringement up to \$150,000.00 for infringement of each photograph comprising the Work.
- d. Awarding Plaintiff its costs and (if applicable) reasonable attorneys' fees pursuant to 17 U.S.C. § 505;
- e. Awarding Plaintiff interest, including prejudgment interest, on the foregoing amounts;
- f. Permanently enjoining Defendants, their employees, agents, officers, directors, attorneys, successors, affiliates, subsidiaries, and assigns, and

all those in active concert and participation with Defendants, from directly or indirectly infringing Plaintiff's copyrights or continuing to display, transfer, advertise, reproduce, or otherwise market Plaintiff's Copyrighted Photographs or to participate or assist in any such activity; and

g. For such other relief as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a trial by jury on all claims for which there is a right to jury trial.

Dated: February 4, 2025

SANDERS LAW GROUP

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